

REMARKS

In response to the Office action mailed August 20, 2002, the Applicant hereby provisionally elects, with traverse, claims 1-14, 19-27, and 35-37 which are drawn to a catheter. Additionally, the Applicant elects the species of shown in Fig. 7d. It is believed the pending claims are readable on this figure in addition to other figures.

The Applicant's election is made with traverse. The Examiner has not discussed whether any claims are limited to either of the numerous alleged species, but instead merely states that there are no generic claims. 35 U.S.C. §121 states that "if two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions." (emphasis added). Applicants hereby traverse on the grounds that the claims do not describe "independent and distinct" inventions. The independent claims are, in fact, generic.

The Applicant submits that the remaining claims are patentable and are in condition for allowance. An early indication of allowability is respectfully requested.

Respectfully submitted,



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